

12 February 2015

To: The Honorable Madeline Hughes Haikala, Judge
United States District Court for The Northern District of Alabama

Subject: Issue regarding the Department of Justice and Huntsville City Schools Proposed Consent Order dated 26 January, 2015.

I am writing to you today concerning a serious issue that I (and my family) have regarding the Proposed Consent Order dated 26 January 2015. I wanted to provide you with our background to put our recommendations and analysis in context.

Background: I was transferred to Redstone Arsenal in 2001 from Natick, MA where I was on active duty with the US Army. I had never been to Huntsville, AL nor did I know anyone that was stationed here. I was able to do a long weekend prior to the move and get a quick overview of the area and selected Hampton Cove as our destination. At the time of our move, our children were ~ 6, 5, and 1 years old. I retired from the Army in 2005 and chose to remain here in Huntsville. After I retired, we spent a lot of time evaluating the various neighborhoods and schools in order to find the location that was best for us. In 2007 we moved from Hampton Cove (which feeds into HHS) to Jones Valley Estates that currently feeds into Grissom HS. The major reason for our move was to get into the Grissom HS school district.

Below is the major issue/problem along with a recommendation, followed with additional information that supports the recommendation.

Problem: It is understood that the DoJ and the HCS have certain goals or requirements when it comes to the percentage or number of black and white children at the various schools. I do not have an issue with this. I do have a serious issue on how they (DoJ & HCS) are trying to implement some parts of the plan "immediately". Instead of a phased approach (which is how many of the goals and requirements in the Proposed Consent Order (PCO) are being approached) they want to summarily remove students from their current feeder profile, regardless of what grade they are in, how long their family has lived in a specific area, the negative impact to the children/students, etc. I really do not understand the short term focus of the DoJ and HCS when it comes to this issue, considering the phased approach of many of the other efforts under their plan.

Recommendation: Allow grandfathering for families that are currently existing homeowners in an area that is being rezoned for grades 7th -12th (for current 7th graders through current 11th graders).

- This would allow for a gradual 'phasing' in over a period of 5 years for the handful of students who are affected.
- Some students in this category would opt to follow their NEW feeder path...which would further decrease the numbers of students involved for 'grandfathering'.

- But some existing families feel very strongly that they want their students/children in those grades to stay STABLE in their known, successful, constant and familiar feeder path. And, they should have the option to keep their students there...similar to those students who are already being allowed to remain in their current existing M and M transfer pattern.
- Anyone that buys a house in the affected neighborhood (after a certain agreed upon date - basically with full knowledge of the new feeder patterns) would be required to comply with the new feeder pattern.
- As the 5 years pass, the number of students involved naturally decreases to eventually none by the end of year 5 (when the current 7th graders are then graduating).

This recommendation provides a solution that all or most of the affected people can agree to and has only a minimal impact on the “short term target numbers” and has no impact on target numbers/goals for the long term.

Supporting Information:

1. When the school rezoning issue first appeared last year, we were assured that students would be ‘grandfathered in’ for their path if they were already at the school. We obviously thought that issue was taken care of and ‘settled’. The public was never notified that the grandfathering issue was removed for ‘some’ students. The public was also not notified that the grandfathering clause would only apply to a ‘certain’ group of students in the HCS system...and not others.
2. Current exemptions to the “no grandfathering transfer policy” & concerns regarding these exceptions, as applicable:
 - a. Previous transfers due to either the No Child Left Behind law or M & M transfers
 - b. M & M transfers noted in current Proposed Consent Order
 - c. Redstone Arsenal Military Reservation transfer options:
 - i. Redstone Arsenal Military Reservation leased housing includes active duty military, retirees, DoD and Federal Agency civilians as tenants. These personnel have not made the investment that homeowners have – as these houses can be leased for as little as 6 months.
 - ii. Students who reside on Redstone Arsenal Military Reservation (“Redstone Arsenal”) will be zoned for Columbia High School, Williams Middle School, and Williams Elementary School. Regardless of race, socio-economic status or any other qualifier, “6th through 12th grade students who reside on Redstone Arsenal may request a transfer to a non-magnet school that operates

either grades 7th through 8th or grades 9th through 12th. The District may designate six spaces in each such school for these transfers. These spaces will be in addition to the transfer capacity agreed to by the Parties.”

d. Rising seniors in affected areas

- i. Change to Proposed Consent Order dated 29 JAN 2015
- ii. A good “first start”, but should be expanded to include 7th -12th grade, the same as Redstone Arsenal Military Reservation transfer option. Difference is that this proposed phased plan is a limited 5-year phased effort while Redstone Arsenal Military Reservation policy is a permeant transfer exemption.

Discussion:

1. It is not that uncommon for a service member to NOT uproot his family, when he has children in middle and high school, when he is transferred to another duty station. Think about that. The service member believes that there would be more harm done to his children by taking them out of their current school then by not having him at home with the family. Not only that – the family is willing to do with less by basically having two households (costs associated with renting of apartment at new duty station, travel costs, etc) on the same income. That is an incredible choice – and sacrifice – that highlights how important it is to maintain a stable school environment for their child/children during these critical years (grades 7th – 12th).
2. For middle and high school grades, moving to a new school can create undo and detrimental stress and hardship on the students. These children are experiencing major physical and emotional growth and change, and are at a critical juncture for bullying, low self-esteem, depression and suicide. The last thing they need is to be pulled out of a stable environment and be placed in a different, unfamiliar school with no peer friends or familiar support.

In addition, the above also puts undo psychological strain on children at a critical junction of their education – at a time where every inch counts towards putting their ‘best foot forward’ for college admissions. Academics can very easily be affected due to the psychological strain on these students, destroying their chances of admission into their universities of choice and furthermore, most definitely, destroying their chances of competitively competing for limited scholarships.

Furthermore, sports teams, band, choir, theatre, etc are all affected...will those students be able to ‘make’ the sports team at their new school (available space, ability), space availability also for band, choir, theatre, etc. Because of an intra-district transfer from one school to another (AHSAA rules for 7th – 12th grade students) those students may have to sit

out for one year (re-shirted). For many students, these activities are a means for possible scholarships in college...for many, those scholarships are the only means for a family to pay for college, regardless of race.

3. As evidenced in the PCO, there are already many phased approaches in place to meeting the goals of equality for all students in HCS. *Examples:* A 3-year recruiting program to increase the number of students at New Century High School by 75 students (25 students/year); Increase enrollment at the Creative Arts and Performing Magnet Program at Lee High School, as well over a 3-year period (25 students/year). It is optimistic to believe that many of these proposed target numbers included in the PCO will be met as projected....Therefore extending those phased approaches put in the PCO by the DoJ and HCS to an even longer period of time, beyond their 3-year projection.

All we are recommending here is another phased approach be implemented to meet the needs of students that are negatively impacted by the current policy regarding 'no grandfathering of transfers, no exception' during a crucial time of their lives (7th-12 grades). Our phased approach involves a small percentage of students (approximately 100-150 out of roughly 23,000 students currently enrolled in the HCS system) and compared to any of the phased approaches currently in the PCO, it is the only one that has a known and final end date. It would completely END in 5 years, when the current 7th grade Junior High School students graduate...with each succeeding year during that 5-year period having fewer and fewer students participating, because they are graduating out.

4. Historically, when there has been a rezoning in HCS, the population affected has been allowed a choice: to remain in the current feeder pattern (grandfathered in) or to change and move into the new feeder pattern.

Examples of this occurred when the new Hampton Cove Middle School (HCMS) was opened. Hampton Cove area students were attending Huntsville Middle School (HMS). When the new HCMS opened, students in grades 6th and 7th had the choice to remain at HMS or move on to the new HCMS. This was done to not disrupt the education and well-being of the students!

Another example occurred when the Jones Valley/Tannahill Estates neighborhood was re-zoned many years ago from Huntsville High School (HHS) to Grissom High School (GHS). Students at that time were also allowed to either stay in their current feeder pattern, HHS, or move to the new feeder pattern, GHS. Again, a choice was provided that was in the best interest of the student.

Precedence has been set! Allowing students to be 'grandfathered' into their current zone was authorized many times while under the current desegregation order, and

APPROVED BY THE DoJ!

We are not asking for anything different than what has not already taken place in the past under the current desegregation order with DoJ approval!

5. Below are (3) examples that show how students starting in the 7th grade can be defined as High School – and why grandfathering should start at this level for affected/rezoned students.
 - a. Regardless of race, socio-economic status or any other qualifier, the PCO allows for Redstone Arsenal residents to request a transfer for “6th through 12th grade students to a non-magnet school that operates either grades 7-8 or grades 9-12. The District has designated 6 spaces in each such school for these transfers.” Again, this starts for students entering their 7th grade year.
 - b. The Alabama High School Athletic Association (AHSAA) recognized HS students from the 7th – 12th grades as eligible to play high school sports...considering those students in a similar path (Junior High School) as High school students. Those 7th and 8th grade students are also subject to all the restrictions as 9th-12th grade students when it comes to eligibility to participate in ‘high school’ sports.
 - c. Lastly, the College Academy program on the Jemison High School campus, created and discussed in the current PCO, admits students starting in the 7th grade. This is acknowledgment that consideration of high school level ability is recognized by the DoJ and HCS as beginning in the 7th grade, similar to AHSAA rules and guidelines already in place. The PCO also recognizes the addition of two (2) new “Junior High Schools” in the HCS system – 7th and 8th grades.

Let’s do the right thing for all students, not just some. This is a problem that can easily be solved and better yet, just completely avoided. I implore you to consider adding the recommended phased approach to the PCO to allow a grandfathering option for those existing homeowners whose students, in grades 7th-12th, which have been rezoned. A phased approach is the best path forward.

Thank you for your consideration.

Andrew & Maria Ramsey